



The following constitutes the order of the court.  
Signed September 24, 2014

  
William J. Lafferty, III  
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

In re

Jeffery P. Alexander,  
DDS Inc., dba Youthful  
Tooth`

Debtor.

No. 14-43851

Chapter 11

**MEMO REGARDING HEARING ON JEFFERY P. ALEXANDER DDS INC.'S  
(1) MOTION FOR APPROVAL OF USE OF CASH COLLATERAL AND GRANTING  
A REPLACEMENT LIEN AND OTHER ADEQUATE PROTECTION; AND  
(2) MOTION FOR AUTHORIZATION TO PAY PRE-PETITION PAYROLL**

The Debtor filed a Chapter 11 petition on September 19, 2014. The Debtor filed a Motion for Approval of Use of Cash Collateral and Granting a Replacement Lien and Other Adequate Protection and a Motion for Authorization to Pay Pre-Petition Payroll (collectively "the Motions") on September 23, 2014 (docs. 6, 7, 8). The Debtor requested an Order Shortening Time for Hearing, which was granted on

1 September 23, 2014 (doc. 11). Hearing on the above motions  
2 is set for September 25, 2014 at 3:00 PM.

3 Having reviewed the Motions and the supporting  
4 materials filed therewith, the Court directs the debtor to  
5 be prepared to address, with particularity and with  
6 appropriate evidentiary support, the following issues:

7 1. Which creditors have security interests or liens  
8 against the assets that constitute the cash collateral that  
9 the debtor seeks to use, the amount of the claims held by  
10 such creditors, the extent to which each of the claims are  
11 secured, and the priority of the security interests claimed  
12 by such creditors.

13 2. The debtor's position regarding which of these  
14 putatively secured creditors is entitled to adequate  
15 protection of their secured claim, and what treatment the  
16 debtor proposes to provide such adequate protection.

17 3. With respect to the request to pay pre-petition  
18 claims of employees of the debtor, (a) which employees  
19 proposed to be so paid are not current employees of the  
20 debtor, or are expected to be terminated as a result of the  
21 debtor's filing, (b) whether any such employees who are  
22 medical doctors are likely to terminate their employment if  
23 not timely paid the pre-petition portion of their wages,  
24 and (c) what would justify the Court in ordering the  
25 payment of pre-petition wages or salaries of Dr. Jeffery P.  
26 Alexander and Dr. Mary Jane Salazar.

27 4. What additional motions the debtor anticipates  
28 making with respect to any pre-petition employee benefits

1 claims, or related matters, and an estimate of the amount  
2 of any pre-petition claims that would be paid or honored in  
3 connection therewith.

4 5. What grounds exist, other than the "doctrine of  
5 necessity", for paying, at the outset of this chapter 11  
6 case, any other pre-petition unsecured claims.

7 6. Which creditors have an interest in the debtor's  
8 equipment and whether there is any dispute regarding the  
9 classification of that interest, specifically with respect  
10 to whether the agreement between the debtor and creditors  
11 is a lease or a loan.

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14 \*\*End of Memorandum\*\*  
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**COURT SERVICE LIST**

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